

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

ADAM LEE MCREE,)	
)	
Plaintiff,)	
)	
v.)	1:23CV405
)	
)	
CAPTAIN FLINT, <i>et al.</i> ,)	
)	
Defendant(s).)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and on October 30, 2023, was served on the parties in this action. (ECF Nos. 8, 9.)

Within the time limit prescribed by Section 636, Plaintiff submitted a Motion to Supplement, (ECF No. 10), which could also have been an attempt to file Objections. However, the Motion to Supplement still does not address the issues raised in the Recommendation, and in particular Plaintiff still has not paid the filing fee or submitted a proper application for leave to proceed in forma pauperis. In addition, to the extent Plaintiff seeks to amend or supplement the Complaint, he still has not filed a proposed Amended Complaint on the proper forms. Further, to the extent the Motion to Supplement was intended as Objections, the Court has reviewed the objections *de novo* and finds that they do not change the substance of the United States Magistrate Judge's Recommendation, which is **AFFIRMED** and **ADOPTED**.

IT IS HEREBY ORDERED that this action be **FILED** and **DISMISSED** *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which correct the defects cited in the Magistrate Judge's Recommendation.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This, the 28th day of November 2023.

/s/ Loretta C. Biggs
United States District Judge